

42

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/495,733	SCHOENE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Clark F. Dexter	3724	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed March 23, 2004 and the telephone interview of June 23, 2004.
2. ☒ The allowed claim(s) is/are 1,5-11 and 56.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>23</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                              |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Dulaney on June 23, 2004.

The application has been amended as follows:

#### In the Claims

Claim 56 as been rewritten as follows:

--56. (Currently amended) A table saw comprising:

a base;

~~a saw blade operably supported by the base and extendable through the work support surface;~~

a first table mounted to the base, wherein the first table includes a work support surface defining a plane;

a saw blade operably supported by the base and extendable through the first work support surface;

a second table operably connected to the first table and movable relative to the first table;

a locking mechanism connected to at least one of the first or second table, the locking mechanism having locked and unlocked positions, wherein the locked position fixes the second table relative to the first table, and the unlocked position allows the second table to move relative to the first table; and

the locking mechanism including a lever that extends from the plane of the first work support surface to a work support side of the plane when in the unlocked position to obstruct the use of the table saw.--.

#### Remarks

2. The above changes have been made to place the claims in proper form with respect to 35 USC 112. It is noted that this action obviates the objection raised in the Office action mailed June 4, 2004.

#### Drawings

3. Applicant must submit NEW FORMAL/REPLACEMENT DRAWINGS that incorporate the proposed changes submitted in the proposed drawing corrections filed on June 27, 2001 and December 14, 2001, which changes have been approved by the examiner. The corrected drawings are required in reply to this Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Additional Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The newly-cited prior art disclose inventions which have features similar to the claimed invention. However, these inventions, each taken alone or in combination with the prior art of record, do not teach or fairly suggest the claimed invention. It is noted that Huang discloses a work bench with a lever, but the lever extends from a workpiece guide, not a plane of the work support surface, and is not in a location such that when it is unlocked, it will obstruct the use of the table saw.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

The prior art of record, either taken alone or in combination, does not teach or fairly suggest the claimed invention. For example, none of the prior art teaches or fairly suggests the combination of features including a base, a saw blade as claimed, a first table as claimed, a second table as claimed, and a locking mechanism as claimed, wherein the locking mechanism includes a lever that extends from the plane of the work support surface as claimed, and wherein the lever is in a location such that when it is unlocked, it will obstruct the use of the table saw.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (703)308-1404. The examiner can be reached Monday through Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (703)308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Clark F. Dexter**  
**Primary Examiner**  
**Art Unit 3724**